

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRC ELECTRONICS, INC.

Plaintiff

v.

AGRIFY CORPORATION

Defendant

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CIVIL ACTION

NO. 23-1445

ORDER

AND NOW, this 22nd day of August 2023, upon consideration of Defendant's *motion to compel arbitration and to dismiss the complaint under Federal Rule of Civil Procedure 12(b)(6) or, alternatively, to stay proceedings under 9 U.S.C. § 3*, [ECF 8], Plaintiff's response in opposition, [ECT 10], Defendant's reply, [ECF 13], and the allegations in Plaintiff's complaint, [ECF 1], it is hereby **ORDERED** that, for the reasons set forth in the accompanying Memorandum Opinion, Defendant's motion is **DENIED**.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court